

REMARKS

The Examiner is thanked for the careful consideration provided in the examination of this application. In view of the forgoing amendments and remarks, Applicants respectfully request reconsideration of the claims and withdrawal of the outstanding rejections.

Claims 4-7 are objected to for various antecedent basis issues. These claims, along with Claim 19, are amended to address these issues. Accordingly, withdrawal of this objection is respectfully requested.

Claims 1, 3-7, 10, and 13-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Evjen (U.S. Patent Application Publication No. 2004/0035079) in view of Thiers et al ("Thiers", U.S. Patent Application Publication No. 2006/0032168). Evjen discloses a method and apparatus for interconnecting paneling. The apparatus includes paneling having opposite connecting sides substantially in the form of tongue and groove joint couplings 18, 20, and opposing adjacent connecting sides that are substantially of a hook-joint type coupling 14, 16. Specifically, the tongue joint 18 is received by the groove joint 20, and the female joint element 14 receives the male joint element 16 to limit lateral motion. Paragraph [0031].

Claim 1 provides for a flooring system comprising rectangular floorboards which are mechanically lockable, in which the individual floorboards have pairs of opposing connectors along their long sides for locking vertically and horizontally, and the short sides have pairs of opposing connectors which lock the floorboards horizontally wherein, *inter alia*, the system comprises two different types of floorboards. The connectors of one type of the floorboards along one pair of opposite edge portions are arranged in a mirror inverted manner relative to the corresponding connectors along the same pair of opposite edge portions of the other type of floorboards.

The Official Action correctly acknowledges that Evjen fails to disclose different types of floorboards, with one type having a mirror inverted arrangement relative to the other, as claimed. However, the Official Action relies on the disclosure of Thiers in an attempt to cure this deficiency, and concludes that it would have been obvious to a person of ordinary skill in the art at the time of the invention to have two panels that are mirror images in order to provide options for additional pattern forming with panels. This rejection is respectfully traversed.

A person of ordinary skill in the art would not have been motivated to combine the references as proposed by the Official Action. In Evjen, all of the floorboards are the same, thus the tongue 18 is received in groove 20, and male element 16 is received in female element 14 to secure the panels together. In this configuration, all of the connecting features (i.e. tongue, groove, female element, male element) are located at the same relative position on each floorboard.

Modifying the panels, to provide two types of panels, by mirror inverting the connectors of one panel relative to another, changes the dynamic of how the floor panels fit together. To the extent the panels can still be fit together without the modified connecting elements interfering with each other, an adjacent panel, with mirror inverted connectors, would need to be rotated 180 degrees relative to an existing panel. For example, if the tongue 18 and groove 20 was mirror inverted on one panel relative to another, the modified panel would have to be rotated 180 degrees so that the tongue 18 would still be received in groove 20. The resulting floor surface is then the same pattern as the original floor surface, as the long sides of the panels are still positioned adjacent to one another. Thus, there would be no motivation to mirror-invert the connectors of one of the panels.

Additionally, the tongue 18 and groove connectors 20 are not compatible with the male 16 and female elements 14, i.e. neither the tongue 18 nor the groove 20 can be fitted to either of the male 16 or female 14 elements. Therefore, a short side of one of the panels cannot be connected to a long side of another panel in the manner shown by Thiers. Because of this, additional patterns are precluded from being formed if the panels of Evjen were modified in the manner suggested by the Official Action.

Thus, the combination fails to show, together with the other features recited in Claim 1, a flooring system having individual floorboards which along their long sides have pairs of opposing connectors for locking together with similar adjoining floorboards both vertically and horizontally, and along their short sides have pairs of opposing connectors which lock the floorboards horizontally, wherein the system comprises two different types of floorboards, the connectors of one type of the floorboards along one pair of opposite edge portions arranged in a mirror-inverted manner relative to corresponding connectors along the same pair of opposite edge

portions of the other type of floorboards. Accordingly, withdrawal of this rejection is respectfully requested.

Claim 6 further distinguishes the claimed arrangement from that disclosed by the combination of Evjan and Thiers. Specifically, Claim 6 provides that a first short side is lockable to a first long side. As discussed above, the connecting features on the short and long sides of Evjan are not compatible with one another. For at least this reason, Claim 6 is allowable and withdrawal of this rejection is respectfully requested.

Independent Claims 13, 17 and 18 each recite features similar to those discussed above with regard to Claim 1. For at least this reason, withdrawal of this rejection and allowance of these claims are respectfully requested.

The remaining dependent claims not specifically addressed above ultimately depend from one of the independent claims, which are allowable. For at least this reason, these dependent claims are also allowable.

For the reasons stated above, it is requested that all the rejections be withdrawn and that this application be allowed in a timely manner. Should any questions arise in connection with this application or should the Office feel that a teleconference with the undersigned would be helpful in resolving any issues pertaining to this application, it is requested that the undersigned be contacted at the number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

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By:



Travis D. Boone

Registration No.: 52,635

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620